

ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY

95-007502 of 4

The following information is provided pursuant to the Responsible Property Transfer Act of 1988

Seller: Cole Taylor Bank Trust 73-199

Buyer:

Document No.:

For Use By County

Recorder's Office
DEPT-01 RECORDING \$29.50
TRAN 4593 03/01/95 14:16:00
JW *95-141658
DEKOK COUNTY RECORDER

Doc. No.

Vol. Page

Rec'd by:

I. PROPERTY IDENTIFICATION:

A. Address of property: 700 N. Wolf Road, Wheeling, IL 60090 Wheeling
Street City or Village Township

Permanent Real Estate Index No.: attached hereto

B. Legal Description:

Section 2 Township 42 North Range 11

Enter or attach current legal description in this area:

Attached hereto



Prepared by: Robert F. Moore

Return to: Steven G. Hastings

700 N. Wolf Road

Chapman & Cutler

Wheeling IL 60090

111 W. Monroe Street

Chicago, IL 60603

LIABILITY DISCLOSURE

Transferees and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental clean-up costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

C. Property Characteristics:

Lot Size _____ Acreage 17.65 acres

Check all types of improvement and uses that pertain to the property:

_____ Apartment building (6 units or less)

X Industrial building

_____ Commercial apartment (over 6 units)

_____ Farm, with buildings

_____ Store, office, commercial building

_____ Other, specify _____

II. NATURE OF TRANSFER:

A. (1) Is this a transfer by deed or other instrument of conveyance?

Yes No

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?

_____ X

(3) A lease exceeding a term of 40 years?

_____ X

(4) A mortgage or collateral assignment of beneficial interest?

X

Page 1

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B. (1) Identify Transferor:

Name and Current Address of Transferor

Cole Taylor Bank 350 E. Dundee Road, Wheeling, IL 60090 73-199

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust.

Trust No.

- (2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Frank Semmerlign 700 N. Wolf Road, Wheeling, IL 60090 (708) 537-3700

Name, Position (if any), and address

Telephone No.

C. Identify Transferee:

Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act states:

"Notwithstanding any other provision or rule of law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

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IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes _____ No X

2. Has the transferor ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes _____ No X

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes _____ No X

4. Are there any of the following specific units (operating or closed) at the property which are or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

	YES	NO		YES	NO
Landfill	_____	<u>X</u>	Injection Wells	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>	Wastewater Treatment Units	_____	<u>X</u>
Land Treatment	_____	<u>X</u>	Septic Tanks	<u>X</u>	_____
Waste Pile	_____	<u>X</u>	Transfer Stations	_____	<u>X</u>
Incinerator	_____	<u>X</u>	Waste Recycling Operations	_____	<u>X</u>
Storage Tank (Above Ground)	<u>X</u>	_____	Waste Treatment Detoxification	_____	<u>X</u>
Storage Tank (Underground)	<u>X</u>	_____	Other Land Disposal Area	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>			

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

5. Has the transferor ever held any of the following in regard to this real property?

- a. Permits for discharges of wastewater to waters of the State. Yes _____ No X
 b. Permits for emissions to the atmosphere. Yes _____ No X
 c. Permits for any waste storage, waste treatment or waste disposal operation. Yes _____ No X

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes _____ No X

7. Has the transferor taken any of the following actions relative to this property?

- a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act. Yes _____ No X
 b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes _____ No X
 c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986. Yes _____ No X

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

- a. Written notification regarding known, suspected or alleged contamination on or emanating from the property. Yes _____ No X
 b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered. Yes _____ No X
 c. If item b. was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property. Yes _____ No X

9. Environmental Releases During Transferor's Ownership

- a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws? Yes _____ No X
 b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site? Yes X No _____
 c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?
X Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials
 _____ Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials
 _____ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act
X Sampling and analysis of soils
 _____ Temporary or more long-term monitoring of groundwater at or near the site
 _____ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water
 _____ Coping with fumes from subsurface storm drains or inside basements, etc.
 _____ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes _____ No X

11. Is there any explanation needed for clarification of any of the above answers or responses?

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B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: George W. Graham

Type of business/ repaired laundry equipment
or property usage _____

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2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

	YES	NO		YES	NO
Landfill	_____	<u>X</u>	Injection Wells	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>	Wastewater Treatment Units	_____	<u>X</u>
Land Treatment	_____	<u>X</u>	Septic Tanks	_____	<u>X</u>
Waste Pile	_____	<u>X</u>	Transfer Stations	_____	<u>X</u>
Incinerator	_____	<u>X</u>	Waste Recycling Operations	_____	<u>X</u>
Storage Tank (Above Ground)	_____	<u>X</u>	Waste Treatment Detoxification	_____	<u>X</u>
Storage Tank (Underground)	_____	<u>X</u>	Other Land Disposal Area	_____	<u>X</u>
Container Storage Area	_____	<u>X</u>			

V. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

*Semmerling Fence & Supply, Inc.,
as beneficiary under Cole Taylor
Bank Trust 73-199, by Frank
Semmerling, its Vice President

Frank Semmerling
Signature
Frank Semmerling

type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on

_____ 19 _____

Signature

type or print name

TRANSFEEE OR TRANSFEEES (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on

FEBRUARY 27 19 95

HARRIS TRUST AND SAVINGS BANK

By: Michael C. Wood Signature

MICHAEL C. WOOD

type or print name
LENDER

(Ch. 30, par. 906)

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SCHEDULE I
LEGAL DESCRIPTION

PARCEL 1:

The South 137.2 feet of that part of Lot 3 lying West of Wolf Road in G. Hechinger's Farm in Section 2, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 2:

The East 812.0 feet of Lot 2, as measured on the South line thereof, in Subdivision of G. Hechinger's Farm, in Sections 1, 2 and 3, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

PARCEL 3:

That part lying Westerly of the center line of Wolf Road of the following described property taken as a tract: That part of Lot 3 in the Subdivision of G. Hechinger's Farm in the Northeast quarter of Section 2, Township 42 North, Range 11, East of the Third Principal Meridian as per plat thereof recorded in the Recorder's Office of Cook County, Illinois, in Book 17 of plats, page 13, described as follows:

Beginning at a point 15.18 chains South of Northwest corner of said Northeast quarter of said Section 2, running thence South on the half Section line 6.51 chains thence East 17 chains more or less to the center of Milwaukee Avenue; thence Northwesterly along the center line of said Milwaukee Avenue 6.90 chains more or less to a point due East of place of beginning; thence West parallel with the South line of said tract 14.05 chains to the place of beginning; excepting therefrom that part thereof falling within Milwaukee Avenue and also the following described tracts: 1. Beginning at a point which is 300 feet East of the West line and 82.45 feet North of the South line thereof running; thence North 125 feet; thence East 50 feet; thence South 125 feet; thence West 50 feet to the place of beginning; 2. Beginning at a point which is 355.65 feet East of the West line, and 82.45 feet North of the South line thereof, running thence North 136.66 feet; thence East 150 feet, thence South 136.66 feet and thence West 150 feet to the place of beginning; 3. Beginning at a point which is 580.65 feet East of the West line and 82.45 feet North of the South line thereof running thence North 136.66 feet thence East 25 feet; thence South 136.66 feet and thence West 25 feet to the place of beginning.

ALSO

Lot 4 and part of Lot 3 lying Westerly of center line of Wolf Road in Owner's Subdivision of part of Lots 2 and 3 in Subdivision of Hechinger's Farms, in Section 2, Township 42 North, Range 11, East of the Third Principal Meridian, plat of which Owner's Subdivision was recorded June 14, 1915 in Book 132 of plats, page 22, as Document 5652753 in Cook County, Illinois.

Parcel 4: That part of lot 5 lying West of the center of Wolf Road of the Owners Subdivision of parts of lots 2 and 3 of the Subdivision of George Hechinger's Farm in Section 2, Township 42 North, Range 11 East of the Third Principal Meridian, in Cook County, Illinois.

Property Address: 700 North Wolf Road
Wheeling, Illinois 60090

P.I.N. No.:	03-02-200-005	03-02-100-029
	03-02-100-013	03-02-100-035
	03-02-100-015	03-02-200-053
	03-02-100-016	03-02-200-068

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